IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SIXTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION No. 8540 of 1992

Between:

1. T.V.K. RAMALINGESWARA RAO S/o. T. Ramaswamy
   Sri Satya Deva Junior college, Annavaram.
2 . A. VENKATA RAO S/o. A. Venkata Rao
   Sri Satya Deva Junior College, Annavaram.
3 . K. SATYANARAYANA S/o. K. Vemayya
   Sri Satya Deva Junior College, Annavaram.
4 D. GIRI S/o. D. Patnaik
   Sri Satya Deva Junior College, Annavaram.

..... PETITIONERS

AND

1 THE DIRECTOR OF HIGHER EDUCATION

Government of Andhra Pradesh, Hyderabad.
2 THE EXECUTIVE OFFICER & CORRESPONDENT
Sri Satya Deva Junior College, managed by Sri Veera Venkata Satyanarayana

Swamivari Devasthanams Annavaram, East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue an appropriate Writ, Order or Direction, more particularly one in the nature of a Writ of Mandamus, declaring that the petitioners herein are entitled to have their salaries and allowances fixed in terms of the Revised Scales of pay 1986 with effect from 1-4-1986 and based on that are also entitled to be paid the arrears of pay and allowances etc., and consequently direct the second respondent herein to pay the petitioners herein their pay and allowances in terms of the Revised Scales of Pay 1986 within a period of three months.

Counsel for the Petitioner: MR.NUTY RAM MOHAN RAO

Counsel for the Respondent No.1: GP FOR HIGHER EDUCATION

The Court made the following:

ORDER:

The petitioners are working as Junior Lecturers in the 2nd respondent Junior College since 1985. The petitioners are contending that a selection committee was constituted in terms of G.O.Ms.No.905 and they were selected by the selection committee. The 2nd respondent, through the proceedings dated 09.09.1985, appointed the petitioners as Junior Lecturers. The petitioners 1 to 3 reported to duty on 09.09.1985, and the 4th petitioner reported to duty on 17.09.1985.

2. The petitioners are contending that the pay scales of the Government Employees were revised on the basis of the pay revision commission in the year 1986, and the revised pay scales have been introduced in the State with effect from 01.04.1986. The petitioners are further contending that the revised pay scales 1986 are also made applicable to Junior Lecturers working in Government Colleges, and that they are entitled to get their pay fixed in the pay scale of Rs.1550-3050.

3. The petitioners further contend that the appointments made in the junior colleges have to be approved by the Board of Intermediate Education, and the Director of Intermediate Education, through the proceedings dated 30.04.1990, approved the appointments of the petitioners, made by the 2nd respondent. Thus, with effect from 30.04.1990 the petitioners are working as full fledged approved Junior Lecturers. The petitioners further contend that the State Government also passed orders admitting the staff, working in the 2nd respondent college to grant-in-aid with effect from 16.04.1990. The petitioners are, therefore, entitled to get revised pay scales with effect from 01.04.1986.

4. The learned counsel for the petitioners represents that in the proceedings of the Board of Intermediate, dated 30.04.1990, it was specifically mentioned that the approval was made with effect from 09.09.1985. The learned counsel for the petitioner, therefore, requested to direct the respondents to apply the revised

pay scales to the petitioners with effect from 01.04.1986 and continue to pay the revised pay scales with attendant allowances.

5. In the light of the submissions made by the learned counsel for the petitioner, the respondents are directed to extend the benefits of revised pay scales to the petitioners with effect from 01.04.1986, with attendant benefits, if they are not otherwise disqualified, keeping in view the orders passed by the Director of Board of Intermediate Education, dated 30.04.1990, and pass appropriate orders according to rules, within two months from the date of receipt of a copy of this order.

6. The Writ Petition is, accordingly, disposed of. No order as to costs.

dsr/rns

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

1. The Director of Higher Education,

Government of Andhra Pradesh, Hyderabad

2. The Executive Officer & Correspondent,

Sri Satya Deva Junior College, managed by

Sri Veera Venkata Satyanarayana Swamivari

Devasthanams, Annavaram, East Godavari District

3. Two CCs to the Government Pleader for Higher Education,

High Court Buildings, Hyderabad (OUT)

4. Two CD copies.